IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 23872 of 2006(P)

PETITIONER:

P.GOVINDAN NAMBOODIRI,
AGED 37 YEARS, S/O.SAMBU NAMBOODIRI (LATE),
'SANTHI', SREE RAGHAVAPURAM TEMPLE,
CHERUTHAZHAM, P.O.MANDOOR,
KANNUR DISTRICT.

BY ADV. SRI.M.V.AMARESAN

RESPONDENTS:
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1. THE EXECUTIVE OFFICER,
SREE RAGHAVAPURAM TEMPLE,
CHERUTHAZHAM, P.O.MANDOOR,
KANNUR DISTRICT.

2. THE ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT,
THALASSERY.

*** 3 DEPUTY COMMISSIONER,**
HINDU RELIGIONS AND CHARITABLE ENDOWMENT,
KOZHIKODE.

***ADDL.R3 IS IMPLEADED AS PER ORDER DATED 08/06/2007**
IN IA NO. 7191/2007.

BY ADV. SRI.V.RAMKUMAR NAMBIAR -- R1
GOVERNMENT PLEADER SMT. K.L.LAKSHMI RAVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23872/2006 P

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE JUDGMENT IN WPC NO. 24576/05 WHICH WAS DISPOSED OF ON 24/1/2006.

EXT.P2. COPY OF THE APPLICATION DT. 5/2/06 SEEKING REINSTATEMENT.

EXT.P3. COPY OF THE NOTICE DT. 3/2/06 ISSUED BY ENQUIRY OFFICER.

EXT.P4. COPY OF THE APPLICATION FOR SUBSISTENCE ALLOWANCE DT. 16/5/06.

EXT.P5. COPY OF THE COUNTER TO EXHIBIT P5 SUBMITTED BY R1 DT. 17/8/2006.

EXT.P6. COPY OF THE CHARGE DT. 28/2/2006.

EXT.P7. COPY OF THE APPEAL SUBMITTED BY THE PETITIONER BEFORE THE COMMISSIONER OF HINDU RELIGIOUS & CHARITABLE ENDOWMENT DT. 30/1/2007.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE APPOINTMENT ORDER OF THIS RESPONDENT DT. 8/3/06.

EXT.R1B. COPY OF THE PETITION FILED BY THE PETITIONER DT. 22/6/06 CLAIMING RECEIPT OF THE SUBSISTENCE ALLOWANCE.

EXT.R1C. COPY OF THE COMPLAINT SUBMITTED BY THE MELSHANTHI AND OTHER EMPLOEERS THE TEMPLE DT. 16/7/2005.

EXT.R1D. COPY OF THE COMPLAINT BY DEVOTEES OF THE TEMPLE DT. 16/7/2005.

EXT.R1E. COPY OF THE REPLY SEND BY THE THEN EXE. OFFICER ON 10/2/2006.

True copy

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.23872 OF 2006-E

Judgment

When the Writ Petition came up for hearing, the learned counsel for the petitioner prayed for a direction to the additional 3rd respondent to consider and pass orders on Ext.P7 appeal filed by him against the order of the 1st respondent dated 27.12.2006. The 1st respondent would submit that it is a statutory appeal filed under S.49(2) of the Hindu Religious and Charitable Endowments Act. In view of the above admitted position, the additional 3rd respondent is directed to consider and pass orders on Ext.P7 in accordance with law after affording an opportunity of being heard to the petitioner and the first respondent within two months from the date of receipt of a copy of this Judgment.

08.06.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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